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THE ARIZONA REPUBLICAN

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NINETEENTH YEAR.

14 PAGES.

PHOENIX, ARIZONA, FRIDAY MORNING, FEBRUARY 26, 1909.

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VOL. XIX. NO. 291.

LEGISLATURE IN JUDGMENT

It Sits On Executive Branch
of the Government

THE FAIR INVESTIGATION

After an Afternoon Session
In Which Fun and Uproar
Prevailed, the Fair Com-
mission Was Awarded a
Clean Bill of Health.

The democrats of Arizona have been engaged so long in washing their own dirty linen that they have become proficient in the art and have set up a shop in the legislature as a washwoman for all political parties. This is the content of a democratic member on the proceedings of yesterday afternoon.

He had reference to the legislative investigation of the affairs of the territorial fair commission, though in reality it was an investigation of the charges which Governor Kibbey had made against Chairman Adams and Member B. A. Packard of the commission, which they were required to answer tomorrow and, in default of answer, were to be deemed as having confessed the truth of the charges and their offices were to be considered vacant.

The hearing took place before a joint committee of the whole of both houses in the assembly chamber. The galleries were crowded, for the impression had gone out that there would be something worth seeing and hearing. At 2 o'clock the members of the council entered the assembly chamber and took seats wherever they could find them. President Hunt of the council was seated at the left of Speaker Webb, who vacated his chair for Chairman Bailey of the joint committee.

A Divided Majority.
It was then quickly developed that though the concurrent resolution had passed both houses the day before without any democratic opposition, the majority was now divided into two camps as to the propriety of going on with it. Though they had voted enthusiastically to wash soiled republican linen, a large element now wanted only to wash their hands of the whole matter. It looked as if the gallery might be disappointed.

Mr. De Souza moved for a reference of the matter to a joint committee of five, three from the house and two from the council, the presiding officers of each house to be members of the committee. This committee was to report at some time in the indefinite future.

This suggestion was opposed by Mr. Burns, the author of the resolution, who demanded an immediate hearing, according to the terms of the resolution. The whole committee was now assembled for that purpose and, besides, it had no authority to appoint other committees. He offered a demand for an immediate hearing as a substitute motion.

No Republican Funeral.
Mr. O'Neill saw no reason why either motion should be entertained. The only thing the committee could now do was to rise and he offered a motion to that effect, but it was lost. It was then observed for the first time that the republican members were taking no part in the proceedings. They did not vote on this motion or any subsequent proposition.

Mr. O'Neill again pleaded with the committee to discontinue the proceedings as an infringement on the authority of the governor. He described them as revolutionary. The word "revolutionary" gave Mr. St. Charles his cue. Said he: "The proceedings must be revolutionary if the gentleman from the cow ranch (meaning Mr. O'Neill) says so. If there is one member of the council more revolutionary than any of the rest, he's the Indian," indicating Mr. O'Neill with his thumb pointed over his left shoulder. At this point the chairman sought to call Mr. St. Charles to order for including in personalities and a colloquy ensued, resulting in the gentleman from Mohave extending his personalities. He demanded the pursuit of the investigation. He charged Mr. O'Neill, though lately the assailant of the governor, with coming to his aid now, only for the purpose of concealing the affairs of the commission. "We on the outside want to know what is going on in Maricopa county," he demanded.

A Veiled Threat.
Mr. Burns intimated that unless the committee got to the bottom of this affair between the commission and the governor there might be no ap-

propriation for the fair for the next two years.

Mr. De Souza offered the point that there was nothing to investigate; no charges against anybody had been lodged with the committee. Mr. Hightower, who for the last ten minutes had been endeavoring to gain the notice of the chair, finally managed to observe, without it, "I do not like to be recognized as out of order all the time. Common courtesy ought to give me recognition once in a while."

Then Mr. Burns made the first definite move toward getting somewhere. He moved for the report of the committee which had been appointed to notify the governor of the hearing. Then followed a series of short speeches, all against the investigation, by Messrs. O'Neill, Woolf and Hunt and Mr. Peterson threatened to offer a resolution for the appointment of a committee to investigate the legislature.

Mr. Sutter asked for the reading of the original concurrent resolution. After some confusing discussion a vote was taken on the motion of Mr. De Souza for the reference of the matter to a sub-committee, which was lost by a vote of 9 to 11.

Then came a proposition to hear the charges of the governor against the members of the commission, and after that the replies of the accused persons or their representatives. This brought from Mr. O'Neill the statement that such a proceeding would be a violation of one of the rules of the caucus, that during the session outsiders must keep off the floor.

President Hunt pleaded with the democrats not to engage in the washing of any republican dirty linen. "The democratic members are fools," said he.

"That's all right," cheerfully assented Mr. St. Charles; "that's all settled." "I know it is," replied the president; "it was, when they went into this thing."

Descending to Business.
There were several other votes on obstructing propositions and each one showed a gain of strength on the part of the investigators. The opponents began to weaken and set about doing the next best thing, giving the proceedings some orderly direction.

Chairman Bailey suggested that each side be allowed a manager, whereupon Mr. Hampton inquired if it was assumed that the legislature had taken sides in this affair as if it were a game of ball.

In reply to a suggestion that the attorneys be allowed to state the cases of the accused commissioners, Mr. St. Charles said: "We want no lawyers; what we want now is facts." Becoming imbued with the judicial nature of the proceedings he so far forgot himself as to address the chairman as "Your Honor."

At length the charges were forced to the front and read. They had been mailed by the governor to each of the commissioners, and, of course, were not intended to figure in such proceedings as were now under way.

The Charges.
Though they had been drawn at great length, briefly they charged Mr. Adams with having sought to influence a decision in a horse race in favor of his horse, Custer, and that he had objected to Dr. Stone, the starter, because the decision in a close race had been given against him; that he had after that secured the dismissal of Dr. Stone after he had been engaged for another season; that on another occasion he had handicapped a race in which he was interested; that he had caused to be used the funds of the territorial fair for certain repairs on the grounds, which should have been made at the expense of the association; and that he had so managed the funds of the affair that many persons had been unable to secure payment of their claims when due and had been obliged to discount them.

The charges stated that when the Stone affair was made known to the governor he had written to Mr. Adams and other members of the commission of the impropriety and indecency of those empowered to select judges of events being interested in the contests to be judged.

After the reading of the charges, another attempt was made to bring the investigation to an end on the grounds that since the charges were not supported by any evidence, that the governor had declined to appear, either in person or by representative, but had sent word that he was going to proceed in the matter according to law, meaning thereby that he was going to remove the commissioners when the time came. Therefore, it was argued by the anti-investigationists, there was nothing to be done; that the thing had ended precisely where it started.

Mr. Adams' Reply.
But the friends of the commission were determined to see the thing through, and no opposition was offered when Mr. Adams was invited to speak in his own behalf. Beginning, he denied that the governor had power to remove him; that he had no influence or misfeasance, and he was charged with neither of these offenses. As to the Stone episode, he said he had not objected to Dr. Stone because the decision had been against Custer, but because Stone had taken part in it at all. Stone, he said, was a starter, and was expressly forbidden by the rules of the trotting association from interfering with the deliberations of the judges. In this case, he said, Stone had announced the decision when none had really been made. He read a letter from J. M. Ormsby of Tucson, one of the judges, congratulating him on having succeeded in preventing the appearance of Stone at

(Continued on page 3)

CIVIL BILL DISCUSSION

Secret Service Amendment
Speech-Making Vehicle

THE PRESIDENT EXCORIATED

Gentlemen Take Advantage
the Opportunity to Unbosom
Themselves—Cook of
Colorado Is Choked Off.
Other Appropriation Bills.

Washington, Feb. 25.—During the consideration of the sundry civil bill in the house, Mr. Bennett's amendment striking out the provision limiting the field of operation of the secret service was rejected by 41 to 15.

A similar paragraph in the last appropriation bill was what gave rise to the president's criticism of congressional action. Mr. Bennett strongly defended the secret service detectives. Mr. Smith (republican, Iowa) replied that one of the requisites of the detective was that he should be a "common liar."

Respectable men, he said, would take their places as postoffice inspectors and as special agents of the interior department, although occasionally they might have to do some detective work, but, he asserted, that the "idea that some three or four-dollar-a-day man who is willing to be a detective can familiarize himself with all the laws and, therefore, become more useful than a specialist, is simply absurd."

"The only president assassinated since the secret service men were detailed to watch the president," said Mr. Smith, "was President McKinley, who was shot down at Buffalo with a secret service man by his side, who was unable to observe the approaching murderer, with his bandaged hand. The man did not even capture the murderer."

Mr. Cook (republican, of Colorado) also discussed the provision and referred to the president as follows: "It is unfortunate, not only for President Roosevelt, but for the country, that he has not a legal mind and no equipoise of reason, riding through and around the arena of political action on his bronco of arrogant, egotistical impulse, pretending to throw his lariat of execution at the heels and broad horns of capital for the detection of voting labor, and ending the scene with the cunning catch of prairie wolves and gophers."

Mr. Cook declared that "in all this fuss and feathers, the whole administration, the president and his pliant attorney general, have not sent a single plutocrat to the penitentiary." "Such a keen political speculator and political financial strenuousness," he said, "has never been seen before in this republic, and let us fervently hope that his like shall never be seen again. Look at the paragraphs of his scolding messages, and you will be startled to see and read the insinuations and abusive phrases against the legislative and judicial departments of the government."

"President Roosevelt," he continued, "seems to think he is the government, and that his ipse dixit must rule everybody. He runs the government on the same principle that the beef trust runs a sausage factory, from a personal standpoint, using the executive and judicial pork to advance his frantic administration."

"While imitating Riezzi and Cromwell, in fooling the people he is practicing the hypocrisy and dictatorship of Cleon and Dionysius, and has built up a Roosevelt army, navy and civil service, all for his personal and political glory; supreme in his impudence and vanity, arrogance and imperial egotism."

"His veto messages are made from the impulse and ignorant information of his cabinet clerks and the vacillating attorney general is a weak legal reed, who even recently gave a false statement to the president upon the joint resolution passed by congress determining the question of the boundary line between the states of Colorado and New Mexico."

So denunciatory of the president was Mr. Cook that he was denied the privilege of continuing his remarks.

OCEAN MAIL SUBSIDY.
Washington, Feb. 25.—The house, it was announced tonight, probably will vote, Monday, on the senate ocean mail subsidy bill, which today was ordered reported favorably.

A careful canvass of the house is in progress. Not until the poll is completed will the rules committee consider a rule for a vote on the bill.

FORESTRY SERVICE ATTACKED.
Washington, Feb. 25.—The entire time of the senate occupied today in considering the agricultural appropriation bill. Many items of the bill providing for various investigations and matters relating to new legislation were stricken out on points of order. The forestry service was again severely criticized by Senators Carter and Hepburn.

A SWINDLING CLIQUE.
Its Train Plainly Marked Throughout Colorado.

Denver, Colo., Feb. 25.—According to the Times, the four men arrested at Little Rock, Ark., yesterday in connection with gigantic swindling operations conducted through means of fake horse races, prize fights, wrestling matches and foot races, are not the only ones connected with the enterprise. Other arrests are expected to follow within a few days.

Many victims of the alleged swindling clique are residents of Colorado and the list includes at least two bankers. The total amount derived from residents of this state, according to statements credited to Chief of Police Armstrong, will reach \$100,000. Four residents of Denver alone are said to have been buncoed out of \$42,000.

THE SENTENCING OF SUFFRAGETTES

Twenty-Eight of Them Given Terms in a Real Jail.

London, Feb. 25.—Twenty-eight suffragettes were sentenced to prison today, most of them for a term of one month. Most of the twenty-eight women sentenced took their punishment in dignified silence.

All of the women were committed to the "second division," which, in the case of the present batch of prisoners, who belong mostly to the educated classes, entails drastic changes in food and methods of living. They were all garbed in the rough and uncouth prison garments, and their food will be the ordinary prison fare. They will not be allowed to communicate with one another. In spite of this far from alluring prospect, the women went off to their captivity giving outward signs of the utmost cheerfulness.

AN ENLIGHTENED VIEW OF THE PUBLIC PRESS

The Governor of Kentucky's Remarks on a Libel Case.

Frankfort, Ky., Feb. 25.—A strong defense of the freedom of the press in criticism of public officials was written by Governor Augustus Wilson today, in granting a pardon to the Herald Publishing company of Louisville. The publisher of the Louisville Herald was indicted in the Calloway and Trigg circuit courts, charging the paper with having criminally libeled Judge Thomas P. Cook and the commonwealth's attorney, Denny P. Smith.

The two officials preside in the district in which the greater part of the night rider troubles in western Kentucky occurred.

Governor Wilson wrote: "The courts don't put an end to the rule of crime in the counties in which the judge and the commonwealth's attorney are elected to uphold law and order, the only hope of a permanent relief from such conditions is in an enlightened public sentiment, aroused by the press of the country, and instead of punishing the newspaper which makes a fight against such conditions, it should be regarded as fulfilling a duty."

HOW FATE MIXED UP THE HULL FAMILIES

Two Brothers Each Unwittingly Married the Divorced Wife of the Other.

Denver, Colo., Feb. 25.—When H. P. Hull of Denver went to Norfolk, Neb., a few days ago to attend the funeral of his brother, Philip Hull, and made the discovery that the widow of his brother was the wife whom he himself divorced some time previously, the widow-divorcee also made a discovery. She learned that the wife of her first husband H. P. Hull, was also the divorced wife of her later husband, Philip.

In other words, each of the brothers had been divorced and each had married the other's divorced wife, although none of the four were aware of the fact.

WEATHER TODAY.

Washington, Feb. 25.—Fair Friday and Saturday.

A THREE MONTHS'

Special course in Bookkeeping and Shortland has been arranged for at the LAMSON BUSINESS COLLEGE, beginning at the opening of the Spring Term, March 1.

COL. COOPER'S TESTIMONY

His Story of the Incidents of
Carmack Shooting

PROSECUTION IS THROUGH

Witness Surrendered to His
Own Counsel—Governor
Patterson Will Testify as
to What He Knows of the
Political Tragedy.

Nashville, Tenn., Feb. 25.—After nearly two days under a searching cross-examination, Colonel Duncan B. Cooper was surrendered to his own counsel by the state.

Tomorrow the case against the Coopers and John Sharpe, accused of the murder of former United States Senator Edward Carmack, will be resumed with the aged defendant still on the stand.

His counsel have decided upon a brief indirect examination. Governor Patterson and his adjutant general, Colonel Tully Brown, will be called to tell what part they played in this political tragedy.

At first Cooper became excited, and several times his voice broke as he angrily denied the charges made by witnesses for the state.

"You determined to avoid Carmack, but, all of a sudden, you changed your mind and started over to see the senator?"

"Exactly—sudden impulse."

"Did you prepare yourself for the trouble?"

"I did, but I did not think there would be any trouble, unless I committed some overt act, and I did nothing to justify Carmack in drawing on me."

"You say Senator Carmack did not stop to talk to Mrs. Eastman?"

"No, sir. He merely tipped his hat and started to pass on."

"When you spoke, he reached for his pistol?"

"He did."

"He pulled it out with his right hand and put his left over to the same pocket. Then he stepped behind Mrs. Eastman."

"And aimed at you?"

"Well, in my direction."

"Did you tell him to get from behind the woman?"

"No, sir. I said: 'It's damned cowardly to get behind a woman, with a revolver in your hand.'"

"All this time Carmack had the revolver out, but made no effort to shoot you?"

"I don't know what he was doing when he got behind Mrs. Eastman. The movement was very rapid."

"What prevented his firing at any time?"

"God knows; I don't. There was nothing to prevent me from firing, too."

"What next?"

"Robin jumped in. I saw Carmack's pistol, and then the shots came."

"So you came at the senator from the front and Robin from behind?"

"No, sir; we both came up on him from the front. Robin swung around and began shooting."

EQUAL SUFFRAGE IN WASHINGTON.

Olympia, Wash., Feb. 25.—The governor signed today the woman's suffrage bill.

COMING TO PHOENIX.
The Three Mexican Revolutionists
from Los Angeles.

Los Angeles, Feb. 25.—The federal authorities are very reticent as to the date of the departure of Magon, Villarreal and Rivera to Arizona, to be tried on the charge of violating the neutrality laws.

The United States marshal tonight stated that the three Mexicans will be removed quietly from the county jail to the railroad station some night and shipped to Phoenix.

TOO PROGRESSIVE.

Thought Governor Chamberlain of the
Sterilization Bill.

Salem, Ore., Feb. 25.—Governor Chamberlain today vetoed senate bill No. 68, which provides for the compulsory sterilization of confirmed criminals, insane persons, idiots, rapists and imbeciles for the prevention of procreation.

INAUGURAL PARADE.

It Is Designed to Be an Occasion of
Dignity.

Washington, D. C., Feb. 25.—No "freak" features, such as cowboys throwing lassoos, with animals and various mechanical devices, will mark the inaugural parade. Gen. J. Franklin Bell, grand marshal of the parade, served notice today that all organizations taking part must conform to the dignity of the occasion.

PERSONNEL OF THE INCOMING CABINET

Full List of the Next President's Advisory Board.

New York, Feb. 25.—Taft's cabinet, which is completed with the selection of McVeagh, is as follows: Secretary of State—Philander C. Knox of Pennsylvania.

Secretary of the Treasury—Franklin McVeagh of Illinois.

Secretary of War—Jacob M. Dickinson of Tennessee.

Attorney General—Geo. W. Wickersham of New York.

Postmaster General—Frank H. Hitchcock of Massachusetts.

Secretary of the Navy—George Von L. Meyer of Massachusetts.

Secretary of the Interior—Richard A. Ballinger of Washington.

Secretary of Agriculture—James H. Wilson of Iowa.

Secretary of Commerce and Labor—James Nagle of Missouri.

MAXIMUM FINE OF STANDARD OIL CO.

It Is Defined by a Ruling Made by
Judge Anderson Yesterday.

Chicago, Feb. 25.—Judge Landis' fine of \$25,000, reduced to the possible maximum fine of \$750,000, is admitted to be the meaning of a ruling made today by Judge Anderson in the re-trial of the Standard Oil company for alleged rebating. The ruling was informal but it is almost a certainty it will stand.

The court of appeals, in ruling out Judge Landis' great fine, eliminated the view that each car lot of oil on which a rebate was accepted constituted a separate offense. There were 1,462 car lots, the freight for which was paid in thirty-six different installments.

Judge Anderson interpreted the decision, which he said served as his guide, to imply that alleged rebates after each of the thirty-six settlements constituted the units of offense.

Judge Anderson's ruling was a severe blow to District Attorney Sims. He and his assistant, Frank H. Wilkerson, had argued that each of the 500 shipments, making possible a maximum of \$10,000,000, constituted an offense.

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Is the largest selling, easiest running, strongest and fastest bicycle in the world. Sold only by Griswold, the Bicycle man. 25-27 East Adams St.

We sell a good Bicycle for \$20. With Coaster Brake for \$25.

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New Irrigation Project

LAND FREE. NO OUTLAY FOR WATER RIGHT.

Stock in project \$10 per share, takes care of water right, under written guarantee contract by the Company. Big dividends besides. Land smooth, soil equal to Glendale loess, in a valley larger than Salt River Valley and located in the heart of the greatest mining district in the world, near Salome, on the Parker cut-off of the Santa Fe Railroad. Water pure and soft, free from salt and alkali. Ideal elevation, climate best on earth. Destined to become banner citrus fruit section of Arizona. Irrigation system well under way and completion matter of few months. Preliminary survey of land made around townsites selected. Land will be worth \$200 an acre in two years. Every investor satisfied. Come and see my plat for a choice location near the new town, the coming business center and health resort of Arizona.

WARNING:—The 5,000-share Water Right Reservation Allotment is now nearly exhausted and when this is all sold, you will have to pay \$30 an-acre cash for the water right alone.

G. E. ENGSTROM, Fiscal Director,
60 Portland Place. PHOENIX, ARIZONA. Phone Black 8844.

HUSTLE FOR GOOD MEN

Calhoun Trial Making No Progress
Very Fast

SIXTEENTH VENIRE ORDERED

Juryman Holsberg Given
Attention—Examination of
Henry Kallman, a Witness,
as to the Attitude of the
Juryman.

San Francisco, Feb. 25.—There was another shift of jurors in the case of Patrick Calhoun today. Duncan B. Hilder, an auctioneer, was passed by both sides to occupy one of the two vacant seats in the box, and later in the day Judge Laylor allowed a challenge by the prosecution directed against David Holsberg, one of the jurors accepted several weeks ago.

The session of the court ended with the tenth taleman of the day under examination by the prosecution, after he had been passed by the defense.

The challenge interposed yesterday in the case of Juror Holsberg remained in abeyance during the greater part of the day, while agents of the prosecution sought Henry Kallman, formerly a business partner of the juror. When the witness was finally produced, he was subjected to examination by Assistant District Attorney Heney, who first asked the substance of Holsberg's opinions concerning the graft cases, as expressed during their joint business enterprises.

"Did Mr. Holsberg not tell you that he thought the prosecutions were hurting business and that they should be stopped?" And did you not tell a mutual friend that you did not think Heney would let him on the jury; that he would be a good juror for Calhoun, and that he owned stock or bonds of the United Railroads?"

"I don't remember saying that," replied Kallman. "I did tell some man not long ago that Holsberg would not convict, because it seemed to tickle the man to have me talk that way."

A. A. Moore and Earl Rogers, of the defense, resisted the challenge and Heney replied for the prosecution. As Holsberg left the box, he advanced to Heney's seat and said: "I have no bad feeling toward you, Heney—no feeling at all."

The prosecutor thanked the juror and the regular interrogation of talesmen was resumed. The trial was continued until tomorrow.

The sixteenth special venire of sixty citizens was ordered returned next Monday.

160 ACRES—

Two and one-half miles from Glendale in a splendidly developed neighborhood. Excellent fertile soil. Large part has been under cultivation for many years. \$100 an acre is the price if taken at once. A snap.

Dwight B. Heard,

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Special reduced prices. Watch and Jewelry repairing. All work guaranteed.

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